



Appl. No. 10/784,331  
Atty. Docket No. BD-001-US

PATENT

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on August 4, 2006.	
Lucy Elanjian	46,164
Attorney mailing application	Registration No.
<i>[Signature]</i>	
Signature of Attorney mailing application	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/784,331  
Inventor(s) : Boerger, L. and Daum, W.  
Filed : February 23, 2004  
Art Unit : 1615  
Examiner : Not yet assigned  
Docket No. : BD-001-US  
Title : Device for the Treatment and Prevention of Disease, and Methods Related Thereto

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made on the attached Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1. ☐ **37 C.F.R. §1.97(b)(1)** - U.S. Direct (use when filing IDS with nonprovisional patent application, or with Request for Continued Examination (RCE); or within 3 months of filing a nonprovisional patent application)

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(1), is being filed with the patent application, with a Request for Continued Examination or within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. ☒ **37 C.F.R. §1.97(b)(3) - (use when filing IDS more than 3 months after filing a nonprovisional patent application, but prior to receipt of first Office Action)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(3). An Office Action on the merits in the present application has not yet been received. Therefore, no fee is believed to be due.

3. ☐ **37 C.F.R. §1.97(b)(4) - (use when filing IDS prior to receipt of first Office Action after the filing of a Request for Continued Examination (RCE) under §1.114)**


This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(4). A first Office Action after filing a Request For Continued Examination (RCE) has not yet been received. Therefore, no fee is believed to be due.

4. ☐ **37 C.F.R. §1.97(c) with fee payment - (use when filing IDS after receipt of first Office Action, and before receipt of Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). A final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte Quayle*) has not been received as of the date of this submission. I hereby elect to pay the fee set forth in 37 C.F.R. §1.17(p).

5. ☐ **Information to be Considered with Continued Prosecution Application (CPA) Filing (use when filing IDS with a Continued Prosecution Application (CPA) for Design Case).** This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 C.F.R. 1.53(d).

Respectfully submitted,

  
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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)					<b>Complete if Known</b>				
					Application Number	10/784,331			
					Filing Date	February 23, 2004			
					First Named Inventor	Boerger			
					Group Art Unit	1615			
					Examiner Name	Not yet assigned			
Sheet	1	of	1	Attorney Docket Number		BD-100-US			
<b>U.S. PATENT DOCUMENTS</b>									
Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
		Number	Kind Code (if known)						
	AA	2002-0188170	A1	Santamore et. al.	12-12-2002				
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	AC	6,110,212		Gregory et. al.	08-09-2000				
	AD	5,700,901		Hurst et. al.	12-23-1997				
	AE	4,863,457		Lee et. al.	09-05-1989				
	AF	4,668,232		Cordes et. al.	05-26-1987				
	AG	4,346,709		Schmitt et. al.	08-31-1982				
<b>FOREIGN PATENT DOCUMENTS</b>									
Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T	
		Office	Number	Kind Code (if known)					
<b>OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>									
Examiner's Initials	Cite No.								T
	AH	Libby, P. et. al., "Inflammation and Atherosclerosis", <i>Circulation</i> , 2002; 105:1135-1143.							
	AI	Vienken, J.; "Polymers in Dialysis: Characteristics and Needs"; <i>Medical Device Technology</i> ; Jan/Feb 2001; 18-27.							
	AJ	Middleton, J. and Tipton, A., "Synthetic Biodegradable Polymers as Medical Devices", <i>Medical Plastics and Biomaterials Magazine</i> , MPB Article Index July 3, 2001 (originally published March 1998).							
	AK	Gross, R. and Kalra, B.; "Biodegradable Polymers", <i>Science</i> , 2002; 297:803-804.							
	AL	"Cardiovascular Drugs in the Pipeline", <i>Today in Cardiology</i> ; 2003							
	AM	"Rapamycin", <a href="http://www.chemsoc.org/exemplarchem/entries/russell/intro.html">www.chemsoc.org/exemplarchem/entries/russell/intro.html</a> , <a href="http://www.chemsoc.org/exemplarchem/entries/russell/properties.html">www.chemsoc.org/exemplarchem/entries/russell/properties.html</a> , <a href="http://www.chemsoc.org/exemplarchem/entries/russell/synth.html">www.chemsoc.org/exemplarchem/entries/russell/synth.html</a> , <a href="http://www.chemsoc.org/exemplarchem/entries/russell/transplants.html">www.chemsoc.org/exemplarchem/entries/russell/transplants.html</a> , <a href="http://www.chemsoc.org/exemplarchem/entries/russell/mech.html">www.chemsoc.org/exemplarchem/entries/russell/mech.html</a> , <a href="http://www.chemsoc.org/exemplarchem/entries/russell/binding.html">www.chemsoc.org/exemplarchem/entries/russell/binding.html</a> ; 11/17/2000.							
	AN	"Resomer", Boeringer Ingelheim Pharma, <a href="http://www.boehringer-ingelheim.com/finechem">www.boehringer-ingelheim.com/finechem</a> .							
Examiner Signature					Date Considered				